[श्री रामनरेश कुशवाहा]

जाति क है इस कारण वादी फैसला अपने पक्ष में करवा लेगा । आवेदन मे कहा गया कि प्रतिवादी भारत सरकार की आस्था अधीनस्थ न्यायालय से उठ गयी है अत: मुकदमा किसी अन्य न्यायालय में स्थानान्तरित कर दिया जाय । मजे की बात यह है कि जिला सत्र न्यायालय ने मुकदमा दूसरी अदालत में स्थानान्तरित भी कर दिया ।

मान्यवर, यह जाति-वाद अदालत क फैसले में आ गया । हमारे यहां एक मुकदमें में एक मुजरिम वांडेड था । वह अदालत में हाजिर हुआ । न्यायालय ने उसे जमानत देने से इनकार कर दिया । सारे वकील और 50 आदमी जो एक ही जाति के थे एक जुट होकर उस जुडिशियल मैजिस्ट्रेट को कितना कितनी गालियां दिये और कैसी कैसी उस ही बेइज्जती की कहा नहीं जा सकता । केवल पीटा ही नहीं और पीट भी देते अगर कुछ लोग बीच में न पड़ते और उस अदालत से तमाम वकील और वह गुन्डे उसे उठा कर ले गये जिला जज की अदालत मे और जिला जज ने उस भगाये हुए मुजरिम को हाथों-हाथ जमानत कर दी । तो मान्यवर, मैं आप के माध्यम से यह निवेदन करना चाहता हूं कि आप ही हम लोगों की अब रक्षा करें । अगर जातिवाद सरकार ही पुष्ट कर रही है और अदालत से फैसले भी उसी आधार पर होते हैं तो भगवान ही इस देश का मालिक है । तो मैं चाहूंगा कि सरकार की ओर से इस पर बयान आये और सरकार स्पष्टीकरण करे तो ज्यादा अच्छा होगा । इन शब्दों के साथ मैं अपनी बात समाप्त करता हूं ।

THE BENGAL IMMUNITY COMPANY LIMITED (ACQUISITION AND TRANSFER OF UNDERTAKINGS) BILL, 1984—contd.

MR. DEPUTY CHAIRMAN: Now, further consideration of the motion moved by Shri Sathe yesterday. Mr. Dipen Ghosh.

SHRI DIPEN GHOSH (West Bengal): Mr. Deputy Chairman, Sir, I welcome this Bill which was moved yesterday for consideration, by the hon. Minister of Chemicals and Fertilizers, seeking nationalisation of the Bengal Immunity Company Limited, which was earlier taken over by the Central Government. But I do not accept, at least partially, what the hon. Minister had stated while piloting this Bill. Sir, yesterday while piloting this Bill, the hon. Minister had attributed the reasons for the Bengal Immunity Company being sick partially to mismanagement and partially to labour trouble. Sir, the Bengal Immunity Company had a long tradition, as the Minister has stated. It was founded by some eminent persons engaged in the field of medicine, including Dr. B. C. Roy, Captain Naren Datta and other people. But unfortunately the management of this company ultimately had fallen into the hands of some inefficient persons who were more interested in amassing personal wealth than in running the company and they were diverting the funds for other purposes. Sir, it was not labour trouble which was responsible for making this traditional industry a sick unit. Yesterday, when this House was seized of another Bill seeking nationalisation of Hooghly Docking Company, I had pointed out the main reasons of one industry getting sick in our country today. I pity the hon. Minister of Chemicals and Fertilizers who had no time to go through the Reserve Bank of India Survey-Report in this connection before piloting this Bill and making that speech. For his consumption I would like to draw his attention to the Reserve Bank of India Survey Report which was published only last year about the sickness of

industries in our country. Sir, the Reserve Bank of India Report stated that of the total sick units that were analysed in this Survey Report, 52 per cent were sick due to mismanagement diversification of funds, etc. 14 per cent due to faulty initial planning, 23 per cent due to market recession, 9 per cent due to other reasons such as power cuts, shortage of raw materials and only 2 per cent due to labour trouble. So, I would rather hope that our Minister of Chemicals and Fertilizers would educate himself with this Survey Report published by the Reserve Bank of India about the sickness of industries and rectify his stand in this respect.

Secondly, our hon. Minister also stated or he wanted to sidetrack the issue by simply referring to the State of West Bengal as if the labour trouble in West Bengal was responsible for getting this industry sick. I would hope that he should now say that it was not correct or that his assessment was not correct when he made the speech. Here also I would like to draw the attention of hon. Minister to some facts and information furnished by his colleague in the Department of Labour of the Central Government through an answer given to an Unstarred Question No. 8494 on 24th April, 1984, in Lok Sabha wherein it was mentioned that during the year 1983—I can quote the figures for other years also, but I am quoting only the latest figures—the number of strikes taking place in Andhra was 312, in Tamil Nadu 171, in Maharashtra 154, in Bihar 138, in Gujarat 125 and in West Bengal 123. So, the position of West Bengal was sixth. Naturally, the assumption or the premise on which the hon. Minister had started his speech yesterday about the reasons of sickness of this industry was wrong although the move that the Government has taken is a welcome feature or a welcome move, i.e. to nationalise the Bengal Immunity Company.

MR. DEPUTY CHAIRMAN: You support it and let it be done.

SHRI DIPEN GHOSH: He has put it on record and, therefore, I must make the record straight. Otherwise, I have no difference with him over this issue. I want to make three specific points. Firstly, I have some information because I along with certain other Members of Parliament visited that factory very recently. When this company was taken over, the number of workers was 1,900. Now their number has come down to 1,799 or, say, 1,800. The number of officers at the time of taking over was 150. But now their number has gone up to 207. The number of officers has gone up by 57 whereas the number of workers has decreased by 101. This is during the period when the company was taken over and managed by the Government of India. What are the resasons for decreasing the number of workers and increasing the number of officers and then making it sick?

Then there is a complaint that the production of certain important drugs and medicines which were being manufactured by the company and which were in great demand has either been stopped or has been slowed down to facilitate their production by certain giant monopolies or multi-national companies. There is a section in the Central Government which is opposed to nationalisation of industries and their proper functioning. So, even after nationalisation this company is fraught with the danger of becoming sick because one section inside the Government is operating against the nationalised sector and is getting upper hand. I will request the Hon'ble Minister to look into this aspect. If this complaint that the production of certain drugs has either been stopped or slowed down in favour of certain giant monopolies and multi-nationals, is genuine I would request the Hon'ble Minister to see that it is attended to immediately and appropriate measures taken in this regard.

Then, in the Bill itself there is a clause saying that on and from the appointed date the employees of this company will be treated as if they are

[Shri Dipen Ghosh]

Central Government employees and they will be given the benefit and privileges of the Central Government employees. But in our country there are differences in these facilities. In the private sector employees get certain facilites. And, Sir, in the public sector, they do get another kind of facilities and in the Government sector also they do get. But it is true that in respect of the Government sector, they get certain other facilities. Now, these people were in the private sector and then this was taken over. They will now be in a Government company and by virtue of their working in a Government company, they will be entitled to certain facilities which the Central Government employees will be enjoying. But my point is that since you have declared—it is not clear here and I would request the honourable Minister to clarify it—that in the case of Government employees, article 311 will apply and their service conditions would be regulated according to article 309. But, in the case of the private sector employees and also the public sector employees, the Industrial Disputes Act would apply. Now, I would like to know whether the benefits of this Act will continue to be received by the employees of this Government company now.

Then, there is another thing. I would also like to know whether the facilities, which they used to get, but which they may not get as Government employees now, whether those facilities and privileges would be protected. These are the two things which the honourable Minister may kindly clarify. Again Sir, I would say in the end that simply by nationalising an industry, you cannot make it a viable one. There are many things which have to be done for making an industry viable and one of them is the workers' participation in the management from the plant level to the highest level in the management and without ensuring the participation of workers in the management, you cannot make an industry a viable one and none make it so. Therefore, I would like to know what steps he would take to ensure the participation of workers in the management of this nationalised industry. Thank you, Sir.

SHRI P. BABUL REDDY (Andhra Pradesh): Sir, it is clear from the Bill that the object of the Bill is to acquire and transfer the undertakings of M/s Bengal Immunity Company Limited. Sir, I understand that this Company is engaged in the manufacture of pharmaceuticals and life saving drugs and some of them are in great demand.

Sir, some noble sons of Bengal including our national leader, the late Dr. B. C. Roy, were the founders of this Company. This Company, which has gone to the aid of many people who were severely sick and whose lives were saved, has itself become very sick and it has fallen to the lot of our honourable Minister, Shri Vasant Sathe to administer a life saving drug in the form of this Bill to save this Company.

Sir, there cannot be two opinions on the need for the taking over of this company a his juncture. But what remains to be seen is that in the year 1978, exercising the powers under the Industries (Development and Regulation) Act, the Government had constituted a body to take over the management of this Company. More resources have been funnelled into this Company for its use. At the time this Company was taken over, my information is that its total annual turnover was Rs. 250 lakhs and, in the year 1982-83, the total turnover reached a figure of Rs. 850 lakhs. But still this Company sustained heavy losses. Sir, in the field of pharmaceuticals and chemicals manufacture, other than fertilizers and drugs, it is very dificult to sustain losses. But this Company has achieved this feat even under the management of a body—which was constituted by the Government under

the Industrial Development Regulation Act, Sir, this can be achieved only by some of our public sector undertakings. For six years, when the management is taken over and when crores of rupees have been supplied, and when the turnover has increased four times still the Company has sustained heavy losses. This requires very serious consideration of the working of our public undertakings.

Sir, in our country we are not wedded to any philosophy of nationalisation or any philosophy against nationalisation. I do not believe in national sing an industry to serve a dogma or theory. Nor do I believe in opposing nationalization on the basis of philosophy. Each case must be judged on its merits. The merit in this respect is utility for the public—public interest that would be advanced. So each case must be decided whether by nationalising a particular industry the public interest would be served. That is the touchstone for taking a decision ultimately.

Sir, in our country there is a very familiar example. Road Transport Corporations in every State are running thousands of buses. Without an exception, all of them have landed in losses. But take the individual operators, private operators, who are running two or three buses. They are paying very heavy mother vehicle taxes, passenger tax, then satisfy the departmental officials in their own humble way and still make money and pay income-tax to the Central Government. Sir, I am saying this not in a spirit of opposition to nationalisation as a philosophy, as I have already said, but a serious thinking is necessary why these public undertakings with so many advantages, which have been ushered into for the purpose of serving the public, are landing in losses, while private individuals are making money. The simple reason is that there is a lot of misappropriation... (*Time Bell rings*)... a lot of mismanagement. It is said that the workers are responsible. I am sorry to say that the Reserve Bank statistics show that only in 2 per cent of the cases labour trouble is responsible for this and in 52 per cent cases it is the mismanagement and misappropriation and maladministration that is responsible for landing these huge companies into losses.

Sir, I wish that this new undertaking that has been taken over would serve as a model employer and model industry, there would be cooperation between the management and the workers, it would prove a great asset to public undertakings and turn a new chapter in the working of the public undertakings.

श्री अश्विनी कुमार (बिहार) : माननीय उपसभापति महोदय बंगाल इम्यूनिटी कम्पनी लिमिटेड का अधिग्रहण करने का जो बिल सरकार लाई है यह बहुत उचित है जो कि लाना चाहिए था। यह और भी अच्छी बात है कि इस कम्पनी को बिल द्वारा अधिग्रहण किया जा रहा है न कि आर्डिनेन्स द्वारा। इसके लिये मैं मंत्री महोदय को आपके माध्यम से धन्यवाद देता हूं कि उन्होंने प्रजातांत्रिक पद्धति अपनाई।

सारी चीजें हमारे मंत्री महोदय ने कही हैं। मैं मंत्री महोदय का ध्यान एक-दो बातों की ओर दिलाना चाहता हूं। सरकार यह जो अधिग्रहण कर रही है, जो राष्ट्रीयकरण कर रही है तो मैं उनका ध्यान राष्ट्रीयकरण सम्बन्धी मुद्दों की ओर ले जाना चाहता हूं। अभी जो रिजर्व बैंक की रिपोर्ट है उसके अनुसार देश के अन्दर दिसम्बर 1979 में 22366 सिक यूनिट थी और जून 1982 में इनकी संख्या बढ़कर 28360 हो गई। अर्थात जैसे जैसे औद्योगिकीकरण बढ़ रहा है वसे वैसे उद्योगों की बीमारी बढ़ रही है। अन्ततोगत्वा लेबर के, मजदूरों के हित में जो सामान कारखाने वाले बनाते हैं, उनके हितों को देखते हुए जैसे कि बंगाल इम्युनिटी बहुत महत्व की दवाइयां बनाती रही हैं। इसकी एक परम्परा है।

[श्री अश्विनी कुमार]

ऐसे महापुरुषों के द्वारा यह प्रारम्भ हुई है जिन्होंने देशभक्ति की भावना से इस कम्पनी को खड़ा किया था । तो इस दोनों कारणों से उसका अधिग्रहण आप करते हैं परन्तु इसको चलाएंगे कैसे, इसके बारे में एक विधिवतपूर्ण सब दृष्टि कोणों से सोच कर के एक योजना बननी चाहिये, प्लान बनना चाहिये जिसका कि मुझे आज सरकार को योजना में अभाव दिखाई देता है । किसी चीज को लेंगे, नहीं लेंगे, इस सम्बन्ध में मैं आपके माध्यम से यह जानना चाहता हूं । उन्होंने अभी अभी पब्लिक सेक्टर के बारे में अपने कुछ विचार व्यक्त किये है, पुस्तक में लिखे हैं, मैं जानना चाहूंगा कि यह सरकार ने उनके विचार माने हैं क्या ? यह जो कम्पनी ले रहे हैं, ऐसी कुछ कम्पनीज हैं— छोटी हैं बहुत बड़ी नहीं हैं, इसलिए उनका प्रयोग कर के जो मजदूर हैं उनको बिलकुल नीचे से ले कर डायरेक्टर तक के अन्दर प्रतिनिधित्व देने के लिए सोच रहे हैं ? कहीं प्रयोग तो कर के देखें, केवल थ्योरी नहीं चलेगी । अन्य देशों का भी अनुभव यह है कि जहां जहां मजदूरों को पूर्ण विश्वास में लिया गया है, अर्ध विश्वास से नहीं चलेगा, डायरेक्टर तक उनका प्रतिनिधित्व हो, हिस्सा हो, जो भी सामान खरीदा जाता है जो बेचा जाता है उनके प्रतिनिधि वहां भी हों वहां उनके प्रतिनिधि हैं । यदि हम उनको विश्वास दिला सकते हैं कि भाई यह तुमने उद्योग में फायदा किया, यह हमारा एक आप्टोमम है इतना फायदा होना चाहिये, इससे अगर ज्यादा फायदा किया तो इसका एक निश्चित अंश मजदूरों को मिलेगा, मजदूरों की भलाई के लिए खर्च करेंगे । क्या हम यह करने के लिए तयार हैं ? कहीं आप प्रयोग कर के तो देख । लेबर पार्टीसिपेशन की बात आती है । सरकार की ओर से बहुत बार कहा गया है । आज तक मेरी जानकारी में लेबर पार्टीसिपेशन नाममात्र है कहीं नहीं हैं । लेबर पार्टीसिपेशन के बाद दूसरा उद्योगों को चलाने का एक अच्छा तरीका हो सकता है इन्सेंटिव उनको दिये जा सकते हैं । मैं तो ज्यादातर लेबर पार्टीसिपेशन का पक्षपाती हूं । कोई अगर सरकार को दिक्कत लग रही है उस प्रकार की पालिसी बनाने के लिए तैयार नहीं है तो कम से कम इनसेंटिव दे करके कसे लेबर से अधिक से अधिक काम करा सके उसको देखने की जरूरत है । अंत में, आज जो राष्ट्रीयकृत क्षेत्र के अन्दर अधिग्रहण हो चुके हैं उनके अन्दर मेरी जानकारी के अनुसार जो वहां का जनरल मैनेजर है, मेनेजिंग डायरेक्टर है, चेयरमैन है, उसके 80 मालिक हैं । 80 जगह उसको जवाब देना पड़ता है अपने कारखानों की स्थिति के बारे में और निर्णय लेने वाला कोई नही है । एक मिनिस्ट्री से दूसरी मिनिस्ट्री मे, जिस मिनिस्ट्री के अन्तर्गत है उसके मिनिस्टर के पास जाएगा, फाइनेंस मिनिस्टर के पास जाएगा, दूसरी जगह जाएगा इस प्रकार से बहुत से उसके मालिक हैं परन्तु जिम्मेदारी लेने वाला कोई नहीं है नुक्ताचीनी करने वाले सब हैं । कुछ गलती हो गई तो उसको डांट पड़ेगी परन्तु कोई अच्छा काम किया, कोई आदमी नही है जो पब्लिक सेक्टर का चेयरमैन प्रोफिट दिखाएगा, लेबर को खुश रखेगा तो उसको आप क्या इनाम देने वाले हैं । आपने किसी को आज तक कोई प्रशस्ति पत्र तक नहीं दिया है ? उल्टा घाटा करके खूब खाएगा, पैसा पहुंचाएगा, खूब बांटेगा तो उसकी जिन्दगी बरकरार रहेगी । हमारी सरकार की नीति ऐसी बन गई है कि जो पब्लिक सेक्टर के चलाने वाले हैं उनको इस बात का अवश्य लाभ रहा है गलत काम करो और कमाओ-खाओ ।

इसी समय क्योंकि हमारे मंत्री जी ने साठे जी ने कुछ विचार रखे हैं उनका मैंने भी अध्ययन किया है इसलिए मैं यह कहना चाहूंगा कि यह जो सारी संस्थाएं है या जैसे बंगाल इम्युनिटी आप ले रहे है इनको स्ट्रीमलाइन करने के लिए वह सरकार के ऊपर दबाव डालें । इतना कह कर मैं आपका धन्यवाद करता हूं ।

श्री हुक्मदेव नारायण यादव (बिहार) : उभासभापति महोदय, सरकार बीमा कारखानों को जब कारखाने किसी तरह से लाभ में नही रहते तो अपने हाथ में लेती है । जैसे कि मैंने कई बार कहा है कि जब कारखाने अच्छे चलते रहते हैं ठीक ढंग से चलते रहते हैं लाभ में चलते हैं तो पूंजीपति उनको लूटते रहते हैं, सब सुख भोगते हैं और जानबूझ कर के कारखानों को बीमार कर देते हैं । फिर उसमें अव्यवस्था उत्पन्न कर देते हैं वह जानते हैं कि कारखाना जब बीमार होगा तो सरकार तो अस्पताल है ही जहां इस बीमार को ले जा कर के दाखिल कर दिया जाता है । जब बीमार कारखाने का सरकार अस्पताल बन जाता है, बीमार कारखानों को सरकार लेती चली जाएगी उन कारखानों को वे पूंजीपति कैसे चलाएंगे ? जिन पूंजीपतियों ने इस कारखाने को लूटा है, घाटे में पहुंचाया है, नुक्सान में पहुंचाया है उन पूंजीपतियों की अन्य सम्पत्तियों की ओर सरकार का ध्यान क्यों नहीं जाता है ? जिन्होंने इस कारखाने को नुक्सान पहुंचाया उसकी ओर सरकार को जाना चाहिए । हम लोग भी समाजवादी दर्शन में विश्वास करते रहे हैं, इसके कारण कहते हैं कि राष्ट्रीयकरण होना चाहिए । लेकिन हमारा जो राष्ट्रीयकरण का दृष्टिकोण रहा है, डा० लोहिया का जो राष्ट्रीयकरण का दृष्टिकोण था वह और सरकार का जो राष्ट्रीयकरण का दृष्टिकोण है, दोनों में फर्क है । आप राष्ट्रीयकरण नहीं करते है बल्कि सरकारीकरण करते हैं । सरकार के चुने हुए अफसरों के हाथ में कारखाना दे देते हैं । आई०ए०एस० को दे देते हैं । ये जो आई०ए०एस० अधिकारी हैं उनके हाथ में कारखाना दे देते हैं और आई०ए०एस० अधिकारी का मतलब है कि वह स्वयंभू भगवान के जैसा सर्वज्ञ है । कारखाना चलाना हो तो उन्हीं को दे दीजिए, एडमिनिस्ट्रेशन चलाना हो तो उन्ही को दे दीजिए, बोरिंग लगाना हो उन्ही को दे दीजिए, पम्प सेट लगाना हो उन्हीं को दे दीजिए । दुनिया भर में सरकार का जितना कारोबार है उस कारोबार का अधिकार इस आई०ए० एस अफसर के हाथ में दे दिया जाता है । न उनको प्रबंध तंत्र का ज्ञान है, न कारखाने के संचालन का ज्ञान है, न तकनीकी ज्ञान है । कोई ज्ञान नहीं है । उनको एक ही ज्ञान है और सबसे बड़ा ज्ञान है कि वे आई०ए०एस० अधिकारी हैं और आई०ए०एस० हैं इसलिए वे भगवान के बराबर हो गये । उनके हाथ में देश का सब कुछ दे दीजिए, कारखाना दे दीजिए । यह सरकारीकरण होता है और सरकारीकरण माने अफसरीकरण और अफसरीकरण माने नौकरशाही । एक कारखाने से बिड़ला को हटा दीजिए, डालमिया को हटा दीजिए, टाटा को हटा दीजिए या और दूसरे उद्योगपतियों के हाथ में बीमार होते चले जायें तो उनके हाथ से कारखानों को ले आइये और सरकारी अस्पताल में भर्ती कर दीजिए लेकिन जिनके हाथ में इलाज करने के लिए देते हैं क्या उन सरकारी अधिकारियों को रोग का पता है कि यह कारखाना कौन सी बीमारी के कारण या किस कारण बीमार पड़ा । सरकार जिस सरकारी डाक्टर के हाथ में देती है उसको खुद को पता नहीं है । वह केवल व्यवस्था चलाना चाहते हैं और काम करना चाहते हैं । यह जो

[श्री हुक्मदेव नारायण यादव]

अनुशासनहीनता आती है, मजदूर कम काम करते हैं तो जो राष्ट्रीयकरण की होड लगी हुई है और राष्ट्रीयकरण के जरिये सभी चीजों को अपने हाथ में लेने के लिए सरकार सोच रही है तो सरकार को इस पर गहराई से सोचना चाहिए कि किन किन चीजों को सरकार अपने हाथ में लेगी, किन क्षेत्र के उद्योगों को सरकार चलाएगी किन क्षेत्र के उद्योगों को निजी पूंजीपति चलाएंगे और अगर निजी पूंजीपति सरकार से पैसा लेकर कारखाना चलाते हैं उसमें लाभ नहीं होता है तब क्या व्यवहार करेंगे ? मैं तो यहां तक आग्रह करूंगा कि सरकार के हाथ में जो कारखाने चलते हैं जो सरकारी उपक्रम है सार्वजनिक क्षेत्र के उपक्रम हैं अगर घाटे में चलते हैं तो वहां जो अधिकारी चलाने वाले हैं उन अधिकारियों को क्यों नहीं सजा दी जाये उनका वेतन क्यों न बंद किया जाये, उनका भत्ता क्यों न बंद किया जाये अगर निजी क्षेत्र की कंपनी फेल हो जाये तो उसके डाइरेक्टर, मैनेजिंग डाइरेक्टर वगैरह सबका भत्ता बंद, कंपनी में ताला लग जायेगा लेकिन सरकारी क्षेत्र में कारखाना चले तो हिन्दुस्तान की गरीब जनता पर अप्रत्यक्ष कर लगाओ उनको चूसो और उस घाटे की पूर्ति करने के लिए सरकार की तरफ से अनुदान देते चले जाओ, सरकारी कोष का दुरुपयोग करते चलो तथा उन अधिकारियों की सुख सुविधा पर खर्च करते चलो, चाहे वह कोयला क्षेत्र में हो या किसी में । कोल इंडिया कंपनी के बारे में मैंने रहस्योद्घाटन किया था कि कई करोड़ रुपया केवल उन अधिकारियों ने पंच सितारा होटल के भुगतान पर खर्च किया है । पंच सितारा होटलों में सफर करो, काम नहीं भी हो तब भी सफर करो। एक कागज बनाओ कि इस चीज का तकनीकी ज्ञान प्राप्त करने के लिए विदेश में जाना जरूरी है । कौन चीज का ज्ञान प्राप्त करने जाते हैं ? वह तो हवाई सफर करना है, विदेश में जाना है, रंगरेली मनाना है, आराम करना है, सुख भोग करना है, दुनिया के आनन्द का भोग करना है । तो वे जाते हैं दुनिया के आनन्द की लहरों पर तैरने के लिए और कागज पर होता है तकनीकी ज्ञान हासिल करने जा रहे हैं । तो ये तकनीकी विशेषज्ञ लोग सब खाकर बैठ गये हैं । सब ब्लाक करते जा रहे है सबको खाते जा रहे है । सरकारी क्षेत्र में 25 हजार करोड़ की पूंजी आपने लगाई थी और अब तक के विश्लेषण के मुताबिक लगभग 23 हजार करोड़ रुपये का घाटा हुआ है हमारे देहात में कहावत है कि

"लाटू शाह का बेटा पाटू शाह,
6 मन लादे, 9 मन बेचे"

कहने का मतलब है कि पूंजी लगाई 6 रुपये नुक्सान हुआ 9 रुपये । तो आपके कारखाने ऐसे हैं कि 25 हजार करोड़ रुपये की सार्वजनिक क्षेत्र में आपने पूंजी लगाई और अब तक लगभग 23 हजार करोड़ का सरकार को नुक्सान हुआ । जितनी पूंजी उतना नुक्सान । जितनी आपकी पूंजी है उतना नुक्सान। आप कहेंगे कि हिन्दुस्तान के सारे विकास कार्यों को बंद करो तथा इन बीमार और मरे कारखानों को चलाने के लिए, पूंजी लगाओं तथा आई. ए. एस. सफेद पोश जिनको व्हाइट ऐलीफेंट कहते हैं ये जो बैठे हुए हैं इन सफेदपोश लोगों की सुख सुविधाओं पर हिन्दुस्तान की जनता की गाढ़ी कमाई को फूंक दो । इसलिए हम चाहेंगे कि एक आयोग बनाइये एक उच्चस्तरीय, या तो संसदीय समिति बनाइये जो संसद की उच्चस्तरीय एक समिति हो या हिन्दुस्तान के गिने-चुने जो अर्थ शास्त्री हैं, किसी पार्टी का ख्याल नहीं, सरकारी अर्थ-शास्त्री नहीं,

सरकार के अस्तबल में जो अर्थ-शास्त्री पनपने वाले है वैसे अर्थ-शास्त्री नहीं जो गिने चुने देश के जाने माने अर्थ-शास्त्री, विशेषज्ञ हैं ऐसे लोगों का उच्च-स्तरीय आयोग बनाइये और इस बात की जांच की जाए कि सार्वजनिक क्षेत्रों में किन कारणों से नुकसान हुआ है, उनको कैसे दूर किया जा सकता है और इस नुकसान के लिए, फिजूलखर्ची के लिए जो-जो जिम्मेदार हैं उन पर कार्यवाही की जाए (**समय की घंटी**)

मैं एक छोटा सा उदाहरण देकर अपनी बात खत्म करूंगा । सार्वजनिक क्षेत्र और निजी क्षेत्र में जो प्रति मजदूर पूंजी आप लगाये हुए हैं, उसके कारण भी आपको नुकसान होता है । "भारत की भयावह आर्थिक स्थिति कारण और निदान" में माननीय चौधरी चरण सिंह ने जो आपके सरकारी आंकडों को लेकर तथ्य संग्रह किये हैं जो उन्होंने बताया है कि सार्वजनिक क्षेत्र में प्रति कर्मचारी पर पूंजी लगी हुई है 54, 311 संयुक्त क्षेत्र में प्रति मजदूर पूंजी लगी हुई है 23,962 और निजी क्षेत्र में जाति मजदूर पूंजी लगी हुई है 10,860 । निजी क्षेत्र में प्रति मजदूर 10,860 और सार्वजनिक क्षेत्र में प्रति मजदूर पूंजी है 54,311 इस प्रकार जो लाभ की दर होती है, वह निजी क्षेत्र वाले को आपकी बनिस्बत चार गुना ज्यादा मुनाफा होता है और आपको मुनाफा कम पड़ता है । (**समय की घंटी**) जितने आदमी नही चाहिएं उससे अधिक आदमी लेते हैं । तो मैं आपसे प्रार्थना करूंगा कि काम से अधिक जहां आदमी हों उसको रोकना चाहिए, जो फिजूलखर्ची है, उसे रोकना चाहिए, मालिक मजदूर के रिश्ते को रोकना चाहिए और सरकारी क्षेत्र में जो निरन्तर घाटा हो रहा है इसको रोकने के लिए उच्चस्तरीय निष्पक्ष अर्थ-शास्त्रियों का आयोग बनाया जाए और आई० ए० ए० अफसरों के हाथ में कभी कारखाना नहीं दिया जाए, जिनको मैनेजमेंट का कोई ज्ञान नहीं है । यह देश को लूटने वाले हैं और इनको सब जगह बैठा कर आप हिन्दुस्तान को लुटवा रहे हैं ।

श्री मिर्जा इर्शादबेग ऐयुबबेग (गुजरात) : माननीय उपसभापति जी, यहां जो बिल लाया गया है, मैं उसका हार्दिक समर्थन करता हूं । जो आंकड़े और जो रिपोर्ट दिखाई गई है, उससे यह साबित होता है कि इससे अच्छा और कोई सुझाव हो नहीं सकता था कि इस कम्पनी को सरकार अपने हाथ में लेकर के चलाये । जैसा कि अभी हमारे साथी दिपेन जो बता रहे थे, रिजर्व बैंक की जो रिपोर्ट आई है, जैसे कि आम कहा जाता है कि कोई यूनिट बंद हुआ, तो कहेंगे मजदूरों ने हड़ताल कर दी, कोई भी यूनिट बंद हुआ, तो बोलेंगे कि मजदूर काम नहीं कर रहा है--जैसे कि मुहावरा है कि "हलका नाम हवलदार का", लेकिन यह रिजर्व बैंक की जो रिपोर्ट आई है, उससे यह साबित हुआ है कि सिर्फ दो परसेंट--इसके कारणों में जाएं तो 2 प्रतिशत कारण बनता है मजदूर और ज्यादातर जो कारण उपस्थित हुए हैं वह बता रहे हैं कि वहां की मिसमैनेजमेंट हुई, वहां कुछ घपलेबाजी हुई और इसकी वजह से यह अच्छे ढंग से काम नहीं कर पाये ।

मान्यवर, यहां पर भी फिर एक बार जैसे कि देश में चल रहा है कि टैक्सटाइल कम्पनियां जो बंद हो रही हैं, वहां भी मजदूर का नाम लिया गया है, लेकिन मजदूर उसमें नहीं हैं, बनिस्बत इसके कि मनेजमेंट जिस तरह से वहां गलत कारोबार चलाती है ।

[श्री मिर्जा इर्शादबेग ऐयुबबेग]

मैं माननीय मंत्री जी को अभिनन्दन देता हूं कि उन्होंने एक यूनिट को टूटते हुए रोका है और उस पर सरकार हस्तक लेकर उसको नया, ज्यादा उत्पादन करने की दिशा में कुछ काम किया है। लेकिन मैं, मान्यवर मंत्री जी से कुछ प्रश्न भी पूछना चाहूंगा जैसा कि हमारे और साथियों ने कहा है कि सरकार की जो नीति है--मैं सराहना करता हूं कि प्रधान मंत्री जी ने बीस-सूत्री कार्यक्रम हमारे सामने दिया है। उसमें भी लोगों के जीवन की रक्षा करने के लिए और उनको अधिक से अधिक बहुत कम दामों में मैडिसिन उपलब्ध कराने के लिए प्रधान मंत्री, श्रीमती इन्दिरा गांधी जी ने, उसमें टी०बी० जैसे असाध्य रोग, रक्तीपत्त और अंधापे जैसे रोगों को भी उसके अंदर शामिल करके इस देश की जनता से यह कहना चाहता है बल्कि उस पर कुछ कदम ले करके, मैं कुछ बातों के लिए मंत्री जी को अभिनन्दन भी देना चाहूंगा कि कुछ दवाइयों के भाव नीचे गिराये गए हैं, जैसे कि टी० बी० की दवाइयों के भाव भी नीचे गिराए गए हैं। लेकिन मैं मंत्री जी से विशेषकर यह भी कहना चाहुगा कि अभी भी जो हमारे गरीब लोग हैं वे इन बीमारियों में मुबतिला है। उन लोगों के पास अभी भी इतनी खरीद शक्ति नहीं है कि अभी जो भाव बाजार में है उन भावों पर वे इन दवाइयो को खरीद सकें और उन दवाइयों का इस्तेमाल कर सकें। मैं माननीय मंत्री जी का दो बातों की ओर ध्यान आकृष्ट करना चाहुंगा, जैसे कि हमारे साथी हुक्मदेव जी अभी कह रहे थे, मैं उनसे यह पूछना चाहता हूं कि जब मल्टी नेशनल कंपनीज, हमारे दूसरे जो छोटे-छोटे लघु उद्योगकार हैं और जो भी छोटी कंपनियां हैं मैं समझता हूं कि देश की ऐसी कोई भी उत्पादन करने वाली कंपनियां नहीं हैं, जो प्राइवेट सैक्टर में चलती हैं या मल्टी नेशनल कंपनियां चलाती है तो उसने कोई बहुत बड़े घाटे किए हों। मैं यह पूछना चाहता हूं कि क्या घाटे हैं, क्या मंत्री जी इन कारणों में जाना चाहेंगे कि हमारा जो पब्लिक सैक्टर है, वह पब्लिक सैक्टर हर साल 25 करोड़ रुपये के करीब उसका नुकसान क्यों करता है। सदन में बहुत बार बातें आई हैं और डिसकस भी हुई हैं। मेरे भी कई प्रश्नों के उत्तर में मंत्री जी ने कहा है कि कुछ मशीनरी जो लगाई है वह पुरानी हो चुकी है। तो वह क्यों पुरानी हुई और जब पुरानी हुई है तो हम यह देखें कि उसका कोई भी एक आधारभूत प्रमाण होना चाहिए कि जो मशीनरी खरीदी गई थी कोई हमारे टैक्नीकल एक्सपर्ट्स थे जिन्होंने कि रिपोर्ट दी थी, कितने साल वह मशीनरी चलेगी। उसके बाद ही मशीनरी लगाई है। विश्व तो बड़ी तेज़ी के साथ प्रगति करता जा रहा है। एक साल के बाद मशीनरी पुरानी हो जाती है, दो साल के बाद मशीनरी पुरानी हो जाती है तो कम से कम इसका कोई योजन होना चाहिए कम से कम पांच साल का, दस साल का आयोजन हो कि वह दस साल तक चले और उसके बाद वह मशीनरी आउट डेटेड हो जाए। इसके लिए चाहिए कि जब भी कोई एक नया यूनिट बनाया जाए तो हमको पहले इस बात की ओर देखना चाहिए कि यह आउट डेटड क्यों हुआ है और नया यूनिट कब तक चलेगा। मैं मंत्री जी से यह भी कहना चाहूगा कि कुछ दवाइयां बेची है ल्टी नेशनलस को और वह भी कम दाम पर बेची हैं। मैं आपको एक उदाहरण दूंगा पिछले साल हमने 15 करोड़ रुपये की दवाइयां मल्टी नेशनल को बेची,

कम दाम पर बेची और इसका एक एग्जैम्पल दूंगा, एनोकसिजलिस, जो हमने बेची है वह, इसकी वजह यह है कि उसका जो स्टैंडर्ड होना चाहिए वह मेनटेन नही कर पाए हैं और इसी वजह से हमारी दवाइयां बाजार में अपना एक स्टैंडर्ड नहीं बना पाती और दूसरे जो उत्पादक हैं उनके सामने दवाइयों के भाव को बैलंस नही कर पाती । इसकी क्या वजह है मंत्री जी इस बात को जांच करायेंगे कि हमारा जो उत्पादन हो रहा है, सरकार द्वारा जो उत्पादन हो रहा है वह उत्पादन बिलो स्टैंडर्ड क्यों जा रहा है । इसके लिए कौन जिम्मेदार है ? अगर कोई जिम्मेदार है तो उसके लिए क्या कार्यवाही करना चाहती है । हर साल हमारे यूनिट इस तरह से नुकसान करते जायेंगे इस तरह से बंद होते जायेंगे तो जो हम करना चाहते हैं इस तरह से जो जनता को चोपर रेट पर दवाइयां देना चाहते है क्या वह दे पायेंगे ? एक तरफ तो पूंजीवादी और सरमायादार बैठे हैं और उनका जो मुनाफा है वह बढ़ता ही जा रहा है । उसके लिए सरकार ही कुछ कर सकती है । देश के करोड़ों लोगों की जो हालत है, उसकी जो रेशो है, आज भी रोजाना टी० बी० की बीमारी के कारण 15 सौ इंसान मर रहे हैं । ऐसे लोगों को प्रधान मंत्री इंदिरा जी ने कहा है बीस सूत्रीय कार्यक्रम में कहा हैं कि हम उन्हें चोपर रेटस पर दवाइयां देंगे । यह तभी संभव हो सकता है जबकि सरकार अपने तौर से हमारे जो उत्पादन करने वाले कारखाने हैं उनको अधिक कार्य क्षमय बनाए । जब तक यह कार्यक्षम्य नही होंगे तब तक लोगों को चोपर रेटस पर दवाइयां उपलब्ध नही करा सकते और लोगों को कोई फायदा नही पहुंच सकता है । मान्यवर, ये कुष्ठ रोग किसको होते हैं, टी० बी० किसको होती है, यह टी० बी० कोई मालदार लोगों को नही होगी, टी० बी० होगी तो उनको जो गरीब इंसान हैं, जो अच्छा पोषण नही कर पाते हैं, गरीब लोग हैं, उनको टी० बी० होती है । इसकी रेशयो देख लीजए, रोजाना जो 1500 लोग मरते हैं वे गरीब लोग ही मरते हैं । मेरा माननीय मंत्री जी से निवेदन है और मैं उनका अभिनन्दन भी करता हूं कि आपने इस दिशा में काम किया है । आप तो हाथी कमेटी के सदस्य भी रह चुके हैं और उस कमेटी ने जो रिपोर्ट दी है... ।

मान्यवर, इस रिपोर्ट को अगर हम

1. P.M. गीता मान कर चलें तो मैं समझता हूं कि यह रिपोर्ट इतना बेहतरीन रिपोर्ट था कि इससे अच्छा रिपोर्ट कोई नही हो सकता । लेकिन कुछ कारण हैं कि कुछ ब्यूरोक्रेटस ऐसे बैठे है जो इन बातों को ठीक ढंग से कार्यान्वित नहीं करना चाहते हैं । तो मैं मंत्री जी से यह कहना चाहूंगा कि इस दिशा में कुछ ऐसा सोचकर चले कि हमारे जो कारखाने हैं, जो हमारी दवाइयां बनाने के यूनिट हैं, वे और अधिक कार्यक्षम बनाए जाएं ।

साथ ही मैं मंत्री जी से यह भी कहना चाहूंगा कि जसा कि अभी हो रहा है, हमारे जो सेक्टर हैं, गवर्नमेंट जो चला रही है, पहले कम्पनी को जो हमने इक्वीजिशन किया है, जिसका नेशनलाइजेशन किया है, यह कहीं और अधिक बर्डन न हो जाए, इस ओर भी देखा जाना चाहिए । ऐसा न हो कि सरकार इसको लेने के पश्चात् जैसा कि अभी हमारे यूनिट खोज करते चले जा रहे हैं, उसमें सम्मिलित न हो जाए । ...(**समय की घंटी**)... मैं विनती करता हूं मंत्री जी से कि इस दिशा में और अधिक कारगर ढंग से सोचा जाए । धन्यवाद ।

SHRI SANKAR PRASAD MITRA (West Bengal): Mr. Deputy Chairman, Sir, I welcome this Bill for the nationalisation of the Bengal Immunity Company. Sir, this company was incorporated a few years after the movement against the partition of Bengal, in 1919, by some of the stalwarts in our State, like Sir Nibratan Sarkar, Dr. B. C. Ray, Dr. Kailash Bose and others, who had believed in a self-reliant economy in our country. In 1925, the functional leadership of this company went over to an individual who, it is believed, ultimately committed suicide. In 1926, its Baranagar factory was set up. In 1935, its research and development wing at Baranagar was also set up. In 1947, full-fledged research unit of the Bengal Immunity Company was established. The years 1926 to 1966 were glorious years for this company. It recorded fast growth, impressive performance and rendered pioneering service to the country in sera and vaccines.

Then, Sir, between 1967 and 1973, there was almost no product diversification. There was total mismanagement and bungling and I am inclined to agree with the hon. Minister that there were serious labour troubles, as well. The company was also gradually facing difficulties with regard to product monopoly, owing to new entrants, and between 1974 and 1978, there was a further market competition. In 1978, the management of this company was taken over by the Government of India under Section 18A of the Industries (Development and Regulation) Act. I must go on record that although there have been losses, after the Government take-over, the Government's achievements are not insignificant either.. As for example, production of several bulk drugs suspended earlier had been taken up by Government. These are all examples, there are other examples also. The Government introduced purified, improved from a tetanus toxoids, Diphtheria toxoids, D.P.T. vaccines. The D.D. unit is producing ATS and the production during 1983-84 has reached the highest, namely 5766 Mus. As far as I am aware, the total investment of the Government is about Rs. 16.70 crores.

Sir, I am aware of the anxiety of the hon. Minister for improvement of drug production in our country and because of this awareness I would like to place before him from a common man's point of view some of the difficulties we are facing because I am not a man belonging to that profession nor am I an expert on that subject like Dr. D'Souza. Drug industries in our country are generally controlled by multinationals with or without foreign collaboration. We, the common people, find that prices are often beyond the reach of the common man. Take for instance persantin, one of the essential drugs for heart diseases. For 30 tablets of persantin you have to pay at least Rs. 52 and the substitutes for persantin which have come out in the market are stated by doctors to be worthless. To me it is an insult to our people when we are told that we should go to homoeopathic physicians for our treatment. I have no disrespect for homoeopathy, I have no lack of faith in homoeopathy but when we are told that you should go for homoeopathic treatment because homoeopathic drugs are cheaper and better suited for poorer people of this country I consider it to be an insult to our people and it is the duty of the hon. Minister to remove this insult from our country.

very often, Sir, life saving drugs disappear from the market. Very often we get sub-standard drugs and our own doctors and family physicians advise us to get the same medicines from foreign countries through common friends. There are diseases which have come to this country with rapid industrialisation. As for example, Cancer, which is assuming epidemic proportions. Cardio vescular diseases are assuming epidemic proportions. Diseases due to air pollution, water pollution,

etc. of several varieties we come across and doctors say that this is allergy. What allergy it is, of what variety it is, they do not know. They prescribe some kind of broad spectrum antibiotic. In this Bengal Immunity Company there is already a research infrastructure and it is my submission to the hon. Minister that since advance researches are continuously going on in other countries and they come forward every day with new theories and new medicines, proper research facilities should be created in this Bengal Immunity Company under the auspices of the Government of India.

Sir, this is a land which had produced Acharya Jagdish Chandra Bose, Acharya Prafulla Chandra Roy, Prof. Satindra Nath Bose and Dr. Meghnath Saha of international fame. Their successors are still available. Some of the distinguished Members of this House have spent their whole lives on research. There is no dearth of talents in our country. There is dearth only of facilities and incentives. The hon. Minister will kindly see that these facilities and incentives are available for discovering newer and newer drugs particularly in respect of diseases which we are afflicted with as a result of industrialisation.

And my last point to the hon. Minister is that this Bengal Immunity Company had a press attached to it. That press ran into difficulties. A winding-up application was made to the Calcutta High Court. I believe an order for winding up has also been made. But under the law, even when the process of winding up is going on, a scheme for reconstruction can always be presented to the High Court for its consideration and the High Court, if it thinks fit, may give its approval to that scheme. The hon. Minister will be pleased to consider whether it is possible to have such a scheme of reconstruction which may be placed before the High Court at Calcutta and if the High Court sanctions this scheme it may be implemented under the auspices of the Government of India because this press can be utilised for publication of useful journals giving information to the public about medicines and health and about all aspects of these two subjects. The hon. Minister would kindly consider this proposal.

With these few words, Sir, I support this Bill.

PROF. (MRS.) ASIMA CHATTERJEE (Nominated): Mr. Deputy Chairman, Sir, while extending our support for this Bill for nationalisation, I would like to make a few observations on the functioning of the Bengal Immunity Company Ltd. and I would also like to give a few suggestions for its improvement and betterment. I am inclined to do so because of my long association with this Company which has not only provided jobs to thousands of persons but has produced and is still producing drugs and pharmaceuticals at cheaper prices, which are so essential for the common man. In this context I might mention that the scientist who had developed the technical know-how for the production of chloroquin, the most powerful anti-malaria drug, was my research associate for more than half a decade. In the course of discussion, I would mention about the constraints still existing in the company which are affecting the freedom and the activities of the scientific and technical personnel. These should be carefully examined by the hon. Minister who is requested to take necessary steps to remove these constraints in order to make the company viable. The hon. Minister must be congratulated for transferring one of his staff members who is a highly competent scientist having knowledge on modern technology and vast experience in applied sciences. He is on deputation there from the Ministry concerned and is assisting the Company most efficiently as Programme Member steering the Company on the right track.

Sir, Bengal Immunitl had a glorious tradition, as mentioned by some of the hon. Members and also by the hon. Minister, and this Company not only produced life saving drugs which are

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still being produced but also sera, vaccines including anti-diphtheria vaccine anti-tetanus vaccine and toxoids.

Bengal Immunity as mentioned by the hon. Minister yesterday, was established in 1919 by the national stalwarts of Bengal—by Dr. Bidhan Chandra Roy, Sir Nilratan Sarkar and Sri Kailash Chandra Bose. In 1925 the functional leadership was taken over by Capt. Narendra Nath Dutta.

In order to meet the demand for drugs and pharmaceuticals from all over the country, the Company set up a factory at Baranagore in the outskirts of Calcutta where research and development centre was set up on a moderate scale in 1935. Later, a full-fledged research centre designated Bengal Immunity Research Institute went on stream in Calcutta. Dr. U. P. Basu, one of the distinguished disciples of Acharya P.C. Ray, became the Director of this Research Centre. He had a vision and encouraged inter-disciplinary research so essential for the growth of a pharmaceutical concern. Under his guidance the Company made a considerable progress in R and D and could produce valuable drugs with new technical know-how which he could develop in collaboration with his associates.

During 40's and 50's when sulfonamides and their related derivates having therapeutic values opened a new era, Bengal Immunity lagged behind as it failed to keep pace. During 40's to 60's most multi-national companies entered into Indian market with effective products. Bengal Immunity, however, remained satisfied with its specialised narrow range of products.

The conservative attitude of "the management" was responsible for the diminished competence and professionalism. Talented scientists and many employees being frustrated left the Company

The year 1967 showed the beginning of decline. A new strategy on labour relation was developed in West Bengal. This affected the Company as it had to regularize a large labour force. This resulted in higher wage bills, lower productivity because of old and worn-out plants and machinery and by using obsolete technology and climinishing industrial discipline. These factors conjointly with simultaneous "market competition", unprecedented growth of pharmaceutical industry and indifferent attitude of the management for diversification into new products shattered the economy and the structure of Bengal Immunity which lagged behind with its old philosophy and outdated products and was on the verge of collapse.

In 1969 there was a strike at the Calcutta unit and huge capital was diverted to set up units in Dehradun and Bombay in order to penalise the employees. The results were disastrous, The situation soon deteriorated. Productivity declined sharply with constrained labour—management relations. There were incidents of violence and murder.

The Company was then taken over on May 18, 1978 by the Government of India under section 18A of the Industries (Development and Regulation) Act to safeguard "national interest".

Now, the Company, I would say, has not yet completely recovered from the damage already done by the then management although six years have passed. The Company is still in the state of convalescence.

It must be kept in mind that labour unrest or labour strike is not the sole factor for industrial sickness. Mismanagement, conservative attitude of the management showing apathy to modernization of production facilities lead to industrial sickness. Irregularities in the flow of working capital and inability in utilising full capacity of plants, shortage of power supply and lack of experience in marketing have a great impact on industrial sickness. However, after the take-over by the Government of India, (*Time bell rings*) I will take a few minutes more, some information I am giving you—the com-

pany has made considerable progress, and I would like to highlight some of the achievements. I am just mentioning the points:

Modernisation of production facilities.

Balancing of capacity in all areas of production inc luding the production of bulk drugs.

Three-fold increase in the production of Gluco-Saline Injection Unit.

Higher production of biologicals with the development of new process.

Introduction of purified and improved form of tetanus toxoids, diphtheria toxoids, D.P.T. vaccines.

Introduction of capsule manufacturing unit for antibiotics.

Introduction of new Sterile Formulation Unit producing transfusion fluids in pouches and small volume injectables.

R.&D. Wing aimed at improving existing production methodology and development of new formulations to supplement more production and sale. And identification of new bulk drugs for import, substitution is also being explored.

These are the various achievements after the Government take-over.

Now a question has been raised by one of the hon. Members that there has been a decrease in the number of employees. The reason is perhaps they may be casual labour. I would like to mention that the casual workmen were increased at one stage up to 230. They have already been reduced to 170, and the plans are to reduce the strength up to 150 by the middle of August, 1984 without affecting the production.

Sir, there is another achievement. It must not forget to mention. The production of several bulk drugs which were suspended earlier, has been taken up. The production of Nikethamide has been chalked out and substantial progress has been made for taking up the basic production of Mephenecin ,a bulk drug which is being consumed in large quantities internally.

Sir, the company has developed the technical know-how, as I mentioned at the very beginning, for Chloroquine, and the company is implementing a 80 tonne per annum Chloroquine Phosphate Project. This plant would be the largest anti-malarial drug producing plant in the whole of Asia excluding China, and the project would be completed by the end of September, 1984.

Sir, there is another good indication that the labour force is fully cooperating for increasing the production.

Sir, as there is shortage of time, I am not going to mention about the turn-over of production, about which I could get the exact figures.

In spite of these achievements, there are several constraints which are to be tackled very carefully as these are assiciated with the sentiments of the scientific and non-scientific personnel.

The performance of the production function is judged in any organisation by usually has been able to balance the fluctuating interest of finance, marketing, trade unions and the environment. In doing the balance, the production function needs to be supported with the necessary powers and responsibilities. These powers encompass authority to give rewards and incentives to the workmen in giving opportunities for promotions, monetary benefits as bouns, necessary new employment whenever required, framing of personnel policies for taking care of the interest of the workmen, as also the management, and also some powers to execute proposals of small nature for the best interest of the company even in appointing casual labour as and when required. All such powers should remain within the purview of the Member in charge

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of production. Otherwise, a kind of imbalance in the functioning of Member (Production) is bound to create difficulties in executing the programme withinn reasonable time. It is desirable, Sir, that the Finance Officer is expected to consult the Production Manager on technical programmes and their proper execution. The Production Member must be a scientist having academic and technical competence and should have dynamism which he can infuse in junior scientists.

Coming to R & D programme, it must be admitted that R & D (research and development) is the backbone of any pharmaceutical industry. At present in Bengal Immunity the R & D function has been made to play at a very low key and the support given to them is of very minor nature which is resulting in delays in finalising matters for implementation of the schemes very much required by the company. The R & &D allocation of funds is also being squeezed to the maximum extent for other purposes. Questions are now being raised in the company as to how R & D is spending on the purchase of chemicals, journals and books. The R & D function should be operated by the Production Member who must be a scientist of high academic quality having knowledge in technical skill and applied sciences. The R & D functions must be carried out by technical personnal and reputed scientists. But they must have full freedom in planning designs and executing the programmes to the successful completion. The Production Member should be given entire responsibility for this purpose and it is necessary that the member who is a non-scientific staff should cooperate with the Production member and should provide financial assistance as and when required by the Programme member. If there is lack of such coordination the purpose of the Government will be foiled.

The success of a pharmaceutical company is primarily dependent upon the success of the marketing division. The marketing division needs to be headed by a very specialised marketing man. Bengal Immunity immediately needs such professional personnel.

Sir, in the interest of the State and the country as a whole we welcome nationalisation of the company by the Government at the Centre, keeping in mind that nationalisation has both plus and minus points. Now, Sir, may I say so, once the employees realise that they would enjoy the salary and the benefits whether they work with right earnestness or not, the dynamism in their activities would slow down. So, proper measures should be taken so that they work hard for which purpose ways and means should be devised to give them incentives. Sir, I strongly feel that the Government will get a return on the investment of public money made in he public sector or undertakings.

With these comments, Sir, I wholeheartedly support this Bill.

MR. DEPUTY CHAIRMAN: Hon-ble Minister.

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI VASANT SATHE): Sir, I am really grateful to the hon. Members who have participated in the discussion on this Bill I thank them sincerely for the valuable contributions which they have made and unanimously supporting this Bill. Sir, a few questions have been raised briefly by hon. Members and I do not think there is any controversy on this Bill, though some clarifications are necessary so that on record things may not appear that they have not been properly stated. Sir, my hon. friend, Shri Dipen Ghosh has said that I had made an allegation that the labour were responsible for closure or mis-managtment of this company when it was required to be taken over by the

Government. Sir, I want to put the record straight and I had based my comments and that were in a guarded manner. I have not said that either labour or management is solely responsible. But as the history of this company goes and has been pointed out by two hon. Members—Justice Mitra and Prof. (Mrs.) Asima Chatterjee that there has been such history. There were violent incidents and murders. So let us face facts. I am not blaming anyone either politically or otherwise. The fact remains that there was labour problem. But mismanagement also was there, and the RBI report is well known. In fact, nobody has ever said that for the sickness of the units, labour has been solely responsible. In fact, the responsibility of labour is the least. The responsibility is mainly of the management. Therefore, it is they who must be held responsible.

Sir, another thing is, I have always believed, as other Members have pointed out, that the best way to secure proper management is to involve all concerned with the economic activity of production, in the management, right from the top level to what is called the shop level or the plant level. It is our desire to introduce in these units what is known as participation of labour in management. In principle, the Government has accepted it. It has already been announced and we want to try to implement it both in letter and spirit. I agree with the hon. Member that it must not be done only as an eye-wash. It must be done in spirit. Only then you can create a feeling of confidence and involvement and then alone you will get results.

Then, Sir, Shri Babul Reddy asked: how is it that in spite of increase in sales, losses are there? The fact is, the sales have gone up, production has gone up, but in this interregnum, because we had not nationalised, the entire amount that we invested was treated as loan, with the result that the interest itself is more than 50 per cent of what is shown as the loss. So, once we nationalise it, the amount will be treated as equity and then you will get the real picture. That is also one of the reasons why nationalisation had become absolutely necessary.

On the philosophy of nationalisation, we are all agreed that it should not be for the sake of nationalisation.

As Mr. Hukmdeo Narayan Yadav said—

सरकारीकरण नहीं होना चाहिए, राष्ट्रीयकरण होना चाहिए, ब्यूरोक्रेसी का बाल ठीक नहीं है। मैं हुक्मदेव जी से कहूंगा कि आप बार बार आई० ए० एस० पर टूट पड़ते हैं। जिन कारखानों का हम राष्ट्रीयकरण करते हैं वहां पर ज्यादातर लोग जो तंत्रज्ञ हैं, अनुभवी हैं, उस क्षेत्र के, उनको लगाया जाता है। बहुत कम आई० ए० एस० के लोग यहां लगाये जाते हैं। यह बात नहीं है कि आई० ए० एस० सब गड़बड़ी करते हैं। ऐसे भाषण तो आम सभाओं में बाहर करते हैं लेकिन यहां पर भी ऐसा कहकर आई० ए० एस० लोगों पर टूट पड़ते हैं, यह बात मैं समझता हूं ठीक नहीं है, यहां पर कहना। एक बात कही गई दीपेन जी ने कि हमने आफिसरों को बढ़ाया है और मजदूरों को घटाया है। मैं रिकार्ड के लिये कहना चाहता हूं कि बड़ी आवाज में वे कह रहे थे कि यह क्या नीति है सरकार की। राष्ट्रीयकरण के बारे में मैं उनसे यह कहना चाहता हूं कि उनको तो हमें धन्यवाद देना चाहिए। हमने यह योजना बनाई है, एक स्कीम...

श्री शंकर प्रसाद मित्र : प्रमोशन भी हुए है ।

SHRI VASANT SATHE: That is what exactly I am saying—scheme for promoting employess to the officer's cadre. And nearly 70 employees have been promoted as junior officers. That is why you see that the number of officers increased and the number of employees decreased.

यह नहीं हुआ कि हमने रिट्रेचमेन्ट कर दिया या इम्पलाईस को निकाल दिया । सो हम लोग जहां तक होना है वी आर ट्राइंग टु सी दि इम्पलाईस इंटरेस्ट ।

श्री उपसभापति : काफी रिटायर्ड हो गये ।

श्री वसन्त साठे : थोड़े से हो गये होंगे ।

आफिसरों का नम्बर, जोड़ कर यह आप पता लगा सकते हैं कि हमने उनकी भलाई के लिए क्या किया है । मेरा ख्याल है कि मैंने प्रेक्टीकली सारे प्वाइंट्स कवर कर लिए हैं । फिर से एक बार धन्यवाद देता हूं और प्रार्थना करता हूं कि ...

श्री शंकर प्रसाद मित्र : रिसर्च....

श्री वसन्त साठे : यह बहुत जरूरी बात है, मैं यह मानता हूं । इस उदयोग का इतिहास ही रिसर्च का रहा है और रिसर्च सब से आवश्यक चीज है किसी भी इस तरह के उद्योग में और हमारा यह प्रयास रहेगा कि राष्ट्रीयकृत बंगला इम्युनिटी कम्पनी रिसर्च पर ज्यादा ध्यान दें और अच्छी-अच्छी दवाइया बनाए देश के हित में एक आदर्श उद्योग बने यह हमारा प्रयास रहेगा । बहुत-बहुत धन्यवाद ।

MR. DEPUTY CHAIRMAN: That question is:

"That the Bill to provide for the acquisition and transfer, in the public interest, of the undertakings of Messrs. Bengal Immunity Company Limited, and for matters connected therewith or incidental thereto, as passed by the Lok Sabha, be taken into consideration."

The motion was adopted

MR. DEPUTY CHAIRMAN: We shall now take up the clause-by clause consideration of the Bill.

Clauses 2 to 32 and the Schedule were added to the Bill.

Clause 1, the Enacting Formula, the Preamble and the Title were added to the Bill.

SHRI VASANT SATHE: Sir, I move:

"That the Bill be passed."

The question was put and the motion was adopted.

श्री उपसभापति : सदन की कार्यवाही ढाई बजे तक के लिए स्थगित की जाती है ।

The House then adjourned at thirty-seven minutes past one of the clock.

The House reassembled after lunch at thirty-five minutes past two of the clock. **The Vice-Chairman, Shri Syed Rahmat Ali in the Chair.**

Resolution Re. *Appointment of a Judicial Reforms Commission* Contd.

SHRI P. N. SUKUL (Uttar Pradesh): Mr. Vice-Chairman, I rise to support the Resolution moved by my learned friend, Shri Hansraj Bhardwaj, for the appointment of a Judicial Reforms Commission. As mentioned in the Resolution, Sir, the purpose of this proposal is to ensure that our judicial and legal system becomes an effective instrument of social change and provides socio-economic justice to the under-privileged and the weaker sections of our society.

Sir, it is a fact, and it is also a pity, that despite the lapse of 37 years since our Independence and despite the appointment of a law Commission we have not yet been able to evolve a legal system, a judicial system, suited to our needs and we are still guided by and large by the British system of law. It was in the last century that four law Commissions were appointed and people like Macaulay and others were there to frame the laws for us and these laws were basically meant for ruling the colonial people and meant for the colonial regime and we are still being guided by these very laws. It is, therefore, very necessary that the entire laws of the country are looked into and a different system is evolved which will be suited to the needs of our country.

Today, Sir, ours is a socialist Republic. The laws that we have enacted were originally those of the British and they were not meant for a socialist republic. As I said earlier, they were meant for a British colony. But, Sir, today, the judicial system has to be an instrument of social change so that the society my be developed on the desired socialistic pattern. Otherwise, the very spirit of our Constitution will be killed and that is why it is felt necessary that a Judicial Reforms Commission should be appointed to look into this very important matter.

Sir, according to me, the judiciary is not merely an interpreter of law. The judiciary has a much more important obligation to perform. The judiciary in a democracy like ours is also the protector and the wtch-dog of the citizens' rights and privileges and we find today that the judicial system or the legal system, as it stands today, is entirely helpless. We cannot ensure justice for the common man and we cannot do anything unless, of course, our people, more than two- thirds of whom are illiterate and almost half of whom are living below the poverty line, are in a position to understand their rights and privileges. They also have no means by which they can take their matters to a court of law for justice and, unless these two things are done, our courts will keep quiet, will just watch the exploitation of man by man in our country and, of course, like passive onlookers they would be just doing their duty as a formality. That is why it is necessary that our legal system is suitably developed through intensive research in the field of law so that the law is in a position to cater to the needs of the people. As I was saying, our present law is not in a position to cater to our present suffering and toiling masses and the weaker sections of society.

Sir, it is a very happy thing, I should say, that when the Law Commission was first appointed by Parliament it was agreed to by our first Prime Minis- Pandit Jawaharlal Nehru, in pursuance of or in reply to a non-official resolution which was tabled in the Lok Sabha Today also, Sir, we are considering a non-official Resolution tabled by my learned friend, Shri Hansraj Bhardwaj It was in 1954 that a non-official resolution was tabled in the Lok Sabha, suggesting the appointment of a Law Commission and our learned and great Prime Minister, Pandit Jawaharlal